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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

SEYBA DIALLO : DOCKET NO. 2:12-CV-0812-PM-KK
SECTION "P"
VS. : JUDGE MINALDI
JOE P. YOUNG, ET AL : MAGISTRATE JUDGE KAY

JUDGMENT

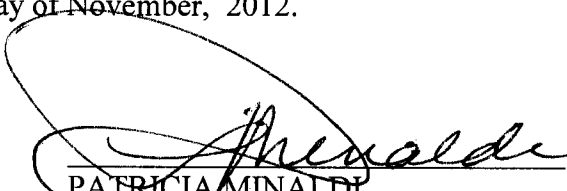
For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein [Doc. 25] and after an independent review of the record, and a *de novo* determination of the issues, and having determined that the findings are correct under applicable law; it is

ORDERED that the respondent's motion to dismiss [Doc. 16] be GRANTED;

IT IS FURTHER ORDERED that the petition for writ of *habeas corpus* be DISMISSED without prejudice;

IT IS FURTHER ORDERED that the petitioner's motion to hold case in abeyance or alternatively, motion for extension of time to file response to the government's response [Doc. 24] be DENIED as MOOT.

Lake Charles, Louisiana, this 16 day of November, 2012.


PATRICIA MINALDI
UNITED STATES DISTRICT JUDGE